

## ORDINANCE NO. 3408

### AN ORDINANCE LICENSING AND REGULATING RIDESHARE, TAXICAB AND LIMOUSINE SERVICES; REPEALING ORDINANCE NOS. 2638, 2717, 3039, 3134, 3260 AND ALL ADDITIONS AND AMENDMENTS THERETO.

Be it Ordained by the City of Baker City, Oregon:

#### Section 1 - DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**CITY.** City of Baker City.

**COUNCIL.** City Council of Baker City.

**LIMOUSINE.** Any vehicle with designed seating for not less than six, nor more than eight, passengers and which has a wheel base of at least 127 inches, and which otherwise meets the definition of "taxicab", as set forth herein.

**PERSON.** Any natural person, firm, partnership, association or corporation, whether acting by themselves, by servant, agent or employee.

#### **TAXICAB.**

(1) Every self-propelled vehicle operating over the streets and alleys of the town, hauling or transporting one or more persons for compensation, except cars for rent without drivers, or vehicles operating over a fixed and definite route.

(2) This definition shall not include vehicles meeting the definition of "limousine" or "Transportation Network Company Vehicle" as set forth above and below.

(3) In addition, the term **TAXICAB** shall not include any vehicle operated by a non-profit agency, regardless of whether the vehicle is operated on a fixed route or an on-demand basis, provided on-demand calls require an advance reservation of at least four hours.

**TRANSPORTATION NETWORK COMPANY (TNC).** A company or entity that exclusively uses an Internet-enabled platform or application to connect passengers with vehicles for hire and/or TNC drivers.

**TRANSPORTATION NETWORK COMPANY (TNC) VEHICLE.** Any vehicle used by a TNC for the ground transportation of passengers for compensation.

#### Section 2 - LICENSES

##### Section 2.1 LICENSE REQUIRED.

(A) Every owner of a taxicab, TNC vehicle or limousine shall, before operating or permitting the operation of such taxicab or limousine, secure a license from the City. TNC vehicle licenses will be issued to each driver, not each vehicle.

(B) An application for a license for the operation of one or more taxicabs, TNC vehicles or limousines shall be filed with the City Recorder, along with an application fee. Each application shall provide the following information:

- (1) The name, business address and residence address of owner;
- (2) The number of vehicles owned and operated by the owner as of the date of application;
- (3) The number of vehicles for which the licensed driver desires;
- (4) The number and suggested location of taxicab stands, if any are sought;
- (5) The make, type, year of manufacture and passenger seating capacity of each taxicab, TNC vehicle or limousine for which application for a license is made;
- (6) A statement certifying that the individual or company is in compliance with all requirements of this chapter, including but not limited to driver, insurance requirements, and operational requirements; and
- (7) Such other information as the City Council may deem necessary in all applications or in individual application for the proper protection of the public.

#### **Section 2.2 APPLICATION REVIEW.**

(A) Before any taxicab, TNC driver, or limousine application (except application for renewal and temporary licenses) is acted upon, the City Manager shall determine (with assistance from the Police Chief) the following:

- (1) Whether the applicant meets the driver, insurance, and operational requirements set forth below.

(B) Related specifically to taxicab applications, the City Manager will review:

- (1) The demand of the public for additional taxicab service;
- (2) The adequacy of existing mass transportation and taxicab service;
- (3) The effect the additional taxicab or limousine service may have upon traffic congestion and parking; and
- (4) Such other relevant facts as the City Manager may deem advisable or necessary.

#### **Section 2.3 CITY MANAGER DECISION.**

(A) In deciding whether or not to grant a license for which application is made, the City Manager shall consider whether or not the public convenience and necessity require the operation of a taxicab, TNC driver or limousine for which application is made.

(B) No license other than an emergency license may be issued to any person who has not complied with all the requirements of this chapter before commencement of the proposed service.

(C) In considering applications, an application for renewal shall be given preference over new applications, providing the applicant for renewal has met and is meeting the requirements of this chapter.

#### **Section 2.4 NUMBER OF LICENSES; TEMPORARY LICENSES; EMERGENCY LICENSES.**

(A) Number of Licenses

(1) There shall be no limit on the number of TNC driver or limousine licenses.

(2) However, no more than one taxicab shall be licensed by the provisions of this chapter for each 1,500 people residing within the City of Baker City, as shown by the last official census. Provided, however, that, temporary licenses may be issued for a period of not to exceed one week upon the payment of such fee as may be set from time to time by the City Council by Resolution for each additional taxicab or limousine used for conveying passengers at such times as there may be in the City a public gathering, celebration or other temporary increase in the number of visitors as to warrant, in the judgment of the City Manager, the issuance of such additional temporary license or licenses.

(3) The temporary licenses may be issued by the City Manager without an investigation.

(B) The City Manager, where it finds it advisable, may issue an emergency license or licenses to an applicant for a period of not more than 30 days while the applicant is being investigated.

(C) Any party holding a valid license at the time this chapter is passed shall continue to operate under such license for 30 days from the date this chapter takes effect.

**Section 2.5 TRANSFER, CANCELLATION, SUSPENSION OR REVOCATION OF LICENSE.**

(A) License Transfer

(1) No license may be sold, assigned or mortgaged or otherwise transferred without the consent of the City Manager.

(2) The City Manager may grant, deny or impose such conditions with respect to the transfer of a license as it may deem to be in the best interests of the public safety and the general welfare.

(B) An application for transfer of any license is subject to the same terms, conditions and requirements as the application for the original license.

(C) If a person sells his or her taxi or limousine business or discontinues the taxi or limousine business for a period of ten consecutive days without obtaining permission for cessation of the operation from the City Manager, all licenses held by the person shall be automatically canceled and may be re-issued only in accordance with this chapter.

(D) Any license may be suspended or revoked by the City Manager at any time whenever any one or more of the following conditions exist:

(1) The City Manager finds the owner's past record to be unsatisfactory;

(2) The owner failed to operate the taxicab, TNC vehicle or limousine in accordance with the provisions of this chapter;

(3) The owner ceases to operate any taxicab or limousine for a period of ten consecutive days without obtaining permission for cessation for the operation from the City Manager (this requirement is not applicable to TNC drivers);

(4) Taxicabs are operated at a rate of fare more than the maximum approved by Council resolution; and

(5) The owner neglects to pay any of the fees or payments required to be paid by him or her pursuant to the provisions of this chapter.

(E) Any decision of the City Manager relating to the transfer, cancellation, suspension, or revocation of a license under this chapter may be appealed to the City Council by written notice dated no later than 10 days following the City Manager decision.

### **Section 2.6 LICENSE FEES; EXPIRATION DATE; RENEWAL.**

(A) The bi-annual fee for taxicab and limousine licenses issued under the provisions of this chapter, except temporary and emergency licenses, shall be as set by the City Council from time to time by resolution. The license shall expire two years after the date of issuance and no license shall be issued hereunder otherwise than on payment of the full amount of the required license fee. TNC licenses will have reduced rate bi-annual fees for each driver.

(B) A license may be renewed by the City Manager upon application of the licensee without an investigation.

## **Section 3 - REQUIREMENTS**

### **Section 3.1 - DRIVER REQUIREMENTS.**

(A) All drivers shall be at least 21 years of age and shall possess a valid driver's license, proof of motor vehicle registration, and proof of current automobile liability insurance that meets the requirements of this chapter and state law.

(B) Every taxicab company, TNC, or limousine company shall maintain accurate, current records for all drivers employed by, contracted with, or affiliated with the company, including all drivers accessing a company's digital network to operate in the City.

(C) Prior to permitting a person to operate as a driver, and biannually thereafter, the taxicab company, TNC, or limousine company shall conduct, or have a qualified third-party conduct, a criminal background check. The criminal background check shall include a search of no less than seven years of database history, unless prohibited by law, in which case the duration of the search shall be the maximum number of years permitted by law. The criminal background check shall include local, state, and national criminal history databases and all accessible sex offender registries. Any person who is on a sex offender registry or has a record of a felony conviction within the previous seven years may not act as a driver. A record of conviction of any of the following within the previous seven years will also disqualify a person from acting as a driver: crimes involving driving under the influence of alcohol or controlled substances, sexual offenses, or crimes involving physical harm or attempted physical harm to a person. The company or its agent shall maintain records of criminal background checks for a period of at least two years. For purposes of this section, the term "conviction" includes convictions, bail forfeitures, and other final adverse findings.

Penalty, see § 116.99

### **Section 3.2 - INSURANCE REQUIREMENTS.**

(A) For all required insurance, taxicab companies, TNCs, or limousine companies shall provide certificates of insurance naming the City, its officers, agents, and employees as additional insured parties

and give at least 30 calendar days' notice to the City before a policy is cancelled, expires, or has any reduction in coverage.

(B) Taxicab companies, TNCs, and limousine companies shall secure and maintain commercial general liability insurance with limits of not less than \$1 million per occurrence and \$2 million aggregate for claims arising out of, but not limited to, bodily injury and property damage incurred in the course of operating in the City.

(C) Upon City request or as part of an application, TNCs shall provide proof of current, valid insurance for City approval covering all affiliated TNC drivers and vehicles operating for such company.

(D) TNC drivers shall be responsible for maintaining all personal automobile liability insurance required by State law.

Penalty, see § 116.99

### **Section 3.3 – OPERATIONAL REQUIREMENTS.**

(A) Each taxicab shall bear a number on the outside of the vehicle in a conspicuous place in a legible manner.

(B) All taxicabs shall be equipped with and carry a sign bearing the word "TAXI" together with the name of the concern, company, corporation or association operating the taxicab.

(C) TNC vehicles shall be marked with a customary "trade dress" type of identification, such as a sticker or placard. The TNCs software application shall display for the passenger the make, model, and license plate number of the TNC vehicle.

(D) Taxicab companies, TNCs, and limousines shall implement and maintain at all times a zero tolerance policy on the use of drugs or alcohol applicable to all drivers employed by or affiliated with the company while providing vehicle for hire services.

Penalty, see § 116.99

### **Section 3.4 - FARES.**

(A) *Charges.* No person owning, operating, managing or driving any taxicab in the City shall make a charge at any greater or lesser rate than authorized by the City Council. TNC charges will be set by the respective TNC.

(B) *Fares.*

(1) The City may be divided into zones for the purpose of setting taxi fares.

(2) The zones (if any) and maximum fares shall be set by resolution by the City Council and may be changed from time to time by a like resolution.

(C) *Posting of fares.* There shall be displayed in the passenger compartment of each taxicab in full view of the passenger, in large bold type, the correct schedule of rates to be charged and a certified copy of the map showing the zones as established by Council resolution.

Penalty, see § 116.99

### **Section 4 - PENALTY.**

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to the penalties set forth in § 10.99.

READ for the first time in full this 25th day of February, 2025.

READ for the second time by title only this 25th day of February, 2025, upon the unanimous vote of the members present, after the text of the ordinance was offered to the members of the Council and the press and public for their use during the meeting.

READ for the third time by title only this 11th day of March, 2025, upon the unanimous vote of the members present, after the text of the ordinance was offered to the members of the Council and the press and public for their use during the meeting.

PASSED by the City Council of the City of Baker City, Oregon, and signed by the Mayor of the City of Baker City, Oregon, this 11th day of March, 2025, effective thirty (30) days from date of adoption.

  
Mayor

ATTEST:   
City Recorder

  
Dan Van Thiel, City Attorney